

June 11, 2007

The Honorable Vernon J. Ehlers
2182 Rayburn HOB
Washington, D.C. 20515 2203

**Subject: H.R. 811, Voter Confidence and Increased Accessibility Act of 2007 and
S. 1487, Ballot Integrity Act of 2007**

Dear Representative Ehlers:

We, the nine members of the Executive Board of the U.S. Election Assistance Commission (EAC) Standards Board, are writing to express our serious concerns about H.R. 811 and S. 1487. The Executive Board, which is composed of a mix of state and local officials, was created by HAVA to provide recommendations and advice to the EAC. While time does not permit us the opportunity to coordinate this letter with all the members of the Standards Board, we feel so strongly about the potential negative impact of this pending legislation that we collectively feel compelled to express our concerns directly to you.

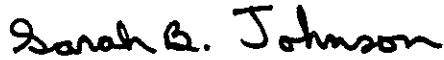
We know you have received correspondence from election officials throughout the country in which they express their concerns about both bills' deadlines, auditing processes, reliance on yet-to-be-invented technology, mandated obsolescence of barely-used equipment and insufficient funding. We do not need to reiterate the issues. What we ask is that you carefully consider the counsel of these individuals.

Election officials are not resisting change. They are recommending caution. The enactment of the HAVA legislation less than five years ago mandated the most massive change in the election process since the Voting Rights Act of 1965. Election officials at state and local levels doggedly worked together to implement the changes. Yet now, before all states have been able to achieve HAVA compliance or fully evaluate its consequences, H.R. 811 and S. 1487 mandate more massive changes that, in some cases, undo what HAVA required.

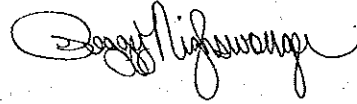
Earlier this year, in Atlanta, the full Standards Board met and passed a resolution (enclosed) recommending that states be given sufficient time to comply with HAVA, sufficient time to assess its full impact, and that Congress fully fund implementation of that legislation. The more than 100 state and local election officials who approved the resolution were specifically selected to represent the thousands of election officials throughout this country because of their expertise. They are not individuals who resist change or look for the "easy way out." If they were, they would never survive in their chosen profession. We ask that you consider the recommendations in the resolution.

An election process in which all Americans are confident their vote was accurately counted is a goal we all share. We write because we do not believe this legislation will take us down that path. We urge caution rather than speed, and emphasize that the counsel and advice you are receiving from election officials throughout this country is from loyal, dedicated professionals whose only goal is to improve the election process.

Thank you for your consideration,



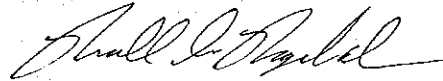
Sarah B. Johnson,
Executive Director
Kentucky State Board of Elections



Peggy Nighswonger,
Wyoming State Elections Director



Tonni L. Bartholomew,
City Clerk
Troy, Michigan



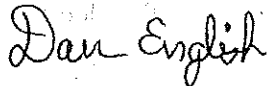
Russell G. Ragsdale,
Clerk and Recorder
City & County of Broomfield, Colorado



Louie Bernard,
Clerk of the Court
Natchitoches Parish, Louisiana



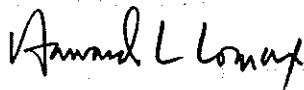
Todd Rokita
Indiana Secretary of State



Dan English,
County Clerk
Kootenai County, Idaho



Sandra Steinbach,
Director of Elections
Iowa Secretary of State



Harvard L. Lomax
Registrar of Voters
Clark County, Nevada

Enclosure: U.S. Election Assistance Commission Standards Board, Resolution 2007-01



**U.S. ELECTION ASSISTANCE COMMISSION
STANDARDS BOARD**

RESOLUTION 2007-01

Whereas, the Help America Vote Act of 2002 (HAVA) represents the most ambitious and comprehensive election reform and civil rights legislation since the Voting Rights Act of 1965; and

Whereas, the States have collectively and aggressively taken on the challenge of implementing the changes proposed by HAVA and have had good success to date in implementing those changes, and

Whereas, these changes need time to root and take shape so that good data as to the effects of these changes can be obtained and therefore, be used to discuss the need and type of any future changes.

Now Therefore, Be It Resolved that the Standards Board recommends to the United States Election Assistance Commission that it should, in strong and bipartisan fashion, inform Congress and the public; at every opportunity of the following:

- 1) That HAVA is still being implemented and needs to remain untouched for a longer period of time in order to determine the effect of HAVA and realize its benefits or detriments.
- 2) That Congress promised the states, local jurisdictions and the American people full funding of the HAVA mandate and to date that promise remains unfulfilled.
- 3) That Congress should fulfill its monetary promise under HAVA before suggesting any additional changes to election administration in the United States.
- 4) That after Congress meets its promises under HAVA and if Congress contemplates further federal election administration changes, that such changes only be promulgated with full funding as that funding is determined with full input from state and local election officials.
- 5) That after Congress meets its promises under HAVA and if Congress contemplates further federal election administration changes, that it only promotes a timeline that reflects full input from state and local election officials, and in no case should such changes already proposed have effective dates before July 2010.

A True Record Attest:



Sarah Ball Johnson,
Secretary of the Standards Board
Executive Board

Submitted by Todd Rokita, Indiana on February 22, 2007

Approved as to Form by Resolution committee February 22, 2007

Submitted to the Standards Board for Approval/Denial on February 23, 2007

Passed on February 23, 2007